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COMMISSION ON HUMAN RIGHTS

Fifty-second session

SUMMARY RECORD OF THE 55th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 22 April 1996, at 3 p.m.

Chairman: Mr. VERGNE SABOIA (Brazil)
later: Mr. VASSYLENKO (Ukraine)

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The meeting was called to order at 3.30 p.m.

ELECTION OF MEMBERS OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES (agenda item 22) (E/CN.4/1996/104 and Add.1 and 2)

1. The CHAIRMAN said that the note by the Secretary-General (E/CN.4/1996/104 and Add.1 and 2) contained the nominations of Member States to the Sub-Commission and the curricula vitae of the candidates. The Commission was invited to elect 13 members of the Sub-Commission and, if applicable, their alternates, subdivided as follows: four members from the African States, two from the Asian States, two from the Eastern European States, two from the Latin American States, and three from the Western European and other States.

2. The ballot sheets to be distributed contained instructions and explanations prepared by the Secretariat. The members of the Commission were requested to place a cross against the names of the candidates for whom they wished to vote. A vote for a candidate included the alternate, if applicable. The number of candidates elected for each regional group must not exceed the number of seats allocated to the group. If that happened, the entire ballot would be invalidated. However, the ballot would remain valid if the number of candidates elected was less than the number of allocated seats. In accordance with rule 67 of the rules of procedure of the functional commissions of the Economic and Social Council, those candidates obtaining, in the first ballot, a majority of the votes cast and the largest number of votes would be elected. If the number of candidates obtaining such majority was less than the number of seats allocated, additional ballots would be held to fill the remaining vacancies.

3. Since the Eastern European States and the Latin American States each had two candidates for two seats, he proposed that, in accordance with rule 66 of the rules of procedure, the Commission should approve those candidatures without a vote.

4. It was so decided.

EASTERN EUROPEAN STATES

5. Mr. Maxim with his alternate Ms. Matoc (Romania) and Mr. Boutkevitch with his alternate Mr. Shamshur (Ukraine) were elected members of the Sub-Commission for a term of office of four years.

LATIN AMERICAN STATES

6. Mr. Alfonso Martínez with his alternate Ms. Ferriol Echevarría (Cuba) and Ms. Forero Ucros with her alternate Mr. Diaz Uribe (Colombia) were elected members of the Sub-Commission for a term of office of four years.

7. The CHAIRMAN announced that the delegation of the Syrian Arab Republic had withdrawn its candidature.

8. At the invitation of the Chairman, Mr. Mba Allo (Gabon), Vice-Chairman of the Commission, and Mr. Hermoza-Moya (Peru), acted as tellers.

9. A vote was taken by secret ballot.

Number of ballot papers	:	53
Invalid ballots	:	0
Number of valid ballots	:	53
Abstentions	:	0
Required majority	:	27

The results were as follows:

AFRICAN STATES

Candidates	Member States	Number of votes obtained
Mr. Mustapha Mehedi	Algeria	30
Ms. Mariam Gui Nikiema	Burkina Faso	6
Mr. Simon Narcisse Bozanga	Central African Republic	0
Mr. Honoré Bikou-M'Bys	Congo	2
Mr. Ahmed Khalifa	Egypt	32
Mr. Fisseha Yimer	Ethiopia	36
Mr. Mohamed Abeidna	Mauritania	23
Ms. Halima Embarek Warzazi	Morocco	32
Mr. Saïd Naceur Ramadhane	Tunisia	22
Mr. Joseph Olaka Onyango	Uganda	24

10. Having obtained the required majority and the largest number of votes, Mr. Mehedi (Algeria), Mr. Khalifa with his alternate Mr. Khalil (Egypt), Mr. Yimer (Ethiopia) and Ms. Warzazi (Morocco), were elected members of the Sub-Commission for a term of office of four years.

ASIAN STATES

Candidates	Member States	Number of votes obtained
Mr. Maksum-Ul-Hakim	Bangladesh	17
Mr. Charles Himawan	Indonesia	20
Mr. Ribot Hatano	Japan	24
Ms. Amna Piracha	Pakistan	14
Mr. Sang Yong Park	Republic of Korea	29

11. Having obtained the required majority and the largest number of votes, Mr. Sang Yong Park with his alternate Mr. Myung Chul Hahm (Republic of Korea) was elected a member of the Sub-Commission for a term of office of four years.

WESTERN EUROPEAN AND OTHER STATES

Candidates	Member States	Number of votes obtained
Mr. Marc Bossuyt	Belgium	42
Mr. Asbjørn Eide	Norway	39
Ms. Marta Santos Pais	Portugal	31
Mr. David Weissbrodt	United States of America	43

12. Having obtained the required majority and the largest number of votes, Mr. Bossuyt with his alternate Mr. Genot (Belgium), Mr. Eide with his alternate Mr. Helgesen (Norway) and Mr. Weissbrodt with his alternate Ms. McDougall (United States of America) were elected members of the Sub-Commission for a term of office of four years.

13. A second vote was taken by secret ballot to elect the second member of the Sub-Commission from the Asian States.

14. At the invitation of the Chairman, Mr. Vassylenko (Ukraine), Vice-Chairman of the Commission, and Mr. Venu (India), Rapporteur, acted as tellers.

15. A vote was taken by secret ballot.

Number of ballot papers	:	53
Invalid ballots	:	2
Number of valid ballots	:	51
Abstentions	:	0
Required majority	:	27

The results were as follows:

ASIAN STATES

Candidates	Member States	Number of votes obtained
Mr. Maksum-Ul-Hakim	Bangladesh	6
Mr. Charles Himawan	Indonesia	11
Mr. Ribot Hatano	Japan	23
Ms. Amna Piracha	Pakistan	11

16. No candidate having obtained the required majority, a third vote was taken by secret ballot.

Number of ballot papers	:	52
Invalid ballots	:	0
Number of valid ballots	:	52
Abstentions	:	0
Required majority	:	27

The results were as follows:

ASIAN STATES

Candidates	Member States	Number of votes obtained
Mr. Maksum-Ul-Hakim	Bangladesh	2
Mr. Charles Himawan	Indonesia	9
Mr. Ribot Hatano	Japan	27
Ms. Amna Piracha	Pakistan	14

17. Having obtained the required majority and the largest number of votes, Mr. Hatano with his alternate Mr. Yokota (Japan) was elected a member of the Sub-Commission for a term of office of four years.

RIGHTS OF THE CHILD, INCLUDING:

(a) STATUS OF THE CONVENTION ON THE RIGHTS OF THE CHILD

(b) REPORT OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

(c) PROGRAMME OF ACTION FOR THE PREVENTION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

(d) QUESTION OF A DRAFT OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE PREVENTION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY, AS WELL AS THE BASIC MEASURES NEEDED FOR THEIR PREVENTION AND ERADICATION (agenda item 20) (continued) (E/CN.4/1996/98, 99, 100, 101, 102, 110 and Add.1, 121 and 132; E/CN.4/1996/NGO/33, 39, 42 and 72; A/50/537; E/CN.4/Sub.2/1995/29 and Add.1)

18. Ms. RAKOTONIAINA (Madagascar) said that within the framework of democratization in Madagascar efforts were being made to provide children with better living conditions. The State had made protection of the health of mothers and children one of its priorities. Despite the difficulties, the national integrated programme of mother and child health was being implemented: expanded vaccination programme, campaign against the main endemic diseases, drinking water supply, and provision of essential medicines. In addition, an information and education programme had been introduced in the schools in order to combat the discrimination still suffered by girls, which was reflected in a higher drop-out rate than for boys. The authorities were also helping to encourage the establishment of reception centres for the poorest children; the role of non-governmental organizations (NGOs) would have to be expanded in that area.

19. Much remained to be done with regard to protection and promotion of the rights of the child, but resources were very limited. Following the submission of Madagascar's initial report on the implementation of the Convention on the Rights of the Child (CRC/15/Add.26), the Committee on the Rights of the Child had recommended that the national legislation should be revised in the light of the international standards for promoting and

protecting the rights of the child, that the necessary services should be established to ensure proper administration of juvenile justice, that a permanent system for monitoring implementation of the Convention should be introduced, and that education and information campaigns on the provisions of the Convention should be organized. The delegation of Madagascar endorsed the Committee's recommendations, but drew attention to a number of priorities connected with the democratization process under way in Madagascar. The first task was to improve the living conditions of children placed in re-education centres and of children under the age of 16 who were imprisoned, to build facilities to house minors in jail, and to train teachers and civil servants who dealt with juvenile delinquents.

20. Madagascar appealed to the international community to support it in its reforms and took note of the possibility of obtaining assistance from the International Labour Organization (ILO) to enhance its capacity to monitor the implementation of the Convention with respect to the exploitation of children and of receiving technical assistance from the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch with respect to juvenile justice. It intended to request very shortly assistance in the form of expert advisory services, fellowships and training courses.

21. Mr. TCHUMAREV (Russian Federation) said that his country gave special attention to children. For example, a presidential programme entitled "Children of Russia in 1996-1997" had been formulated, consisting of a number of projects for various categories of children and designed to create favourable living conditions for children during the current period of transition. During her visit to the Russian Federation the Executive Director of the United Nations Children's Fund (UNICEF) had expressed the view that the efforts made by the Russian authorities to protect the rights of the child deserved commendation and that several problems had been solved. However, it had become apparent during the visit that the UNICEF presence needed to be strengthened.

23. The Russian Federation was in favour of the adoption of an optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, for the rules should be strengthened and 18 should be set as the minimum age for recruitment to the armed forces. The international community also had much work to do in combating the sexual exploitation of children. His delegation welcomed the fact that a World Congress on the Commercial Sexual Exploitation of Children was to be held in Stockholm in August 1996 and hoped that it would adopt an effective declaration and programme of action. It also noted with satisfaction the work done on the drafting of an optional protocol on the sale of children, child prostitution and child pornography and thought that the work of smoothing out the remaining differences in the legal field and in the cultural and social practices and conditions of different countries should be continued. It was also necessary, in the first place, to secure the application of the existing rules.

24. Mr. IVKOVIC (Australia) said that the adoption of the Convention on the Rights of the Child and the convening of the World Summit for Children had marked an evolution from an approach based simply on protection of children to one based on recognition of their rights. It had also marked a maturation of

the concept of human-centred development and a recognition that peace, economic and social development, and respect for individual rights were interdependent.

25. Sustainable solutions in that area required long-term commitment, and the basic needs and rights of children should be integral elements of national development strategies. At the international level it was necessary to establish conditions which would enable such strategies to be implemented effectively. That would be difficult in view of demographic trends and structural constraints, but progress was possible. UNICEF estimated that the goals for the year 2000 adopted at the Children's Summit could be achieved by spending between $30 and $40 billion more than at present. Compared with expenditure for military purposes, such a sum was by no means extravagant.

26. Important work was currently being done in the area of children's rights. The Committee on the Rights of the Child continued to develop new working methods aimed at improving respect for children's rights. For example, its regional visits programme had enabled it to become involved at the local level in addressing the problems of the exploitation of child labour and it had decided to devote a day of general discussion to the problem of the sexual exploitation of children. Furthermore, two working groups of the Commission were currently drafting optional protocols to the Convention on the Rights of the Child, one on the sale of children, child prostitution and child pornography and the other on the involvement of children in armed conflicts. Such standard-setting activities complemented other important initiatives: for the first protocol, the work of the Special Rapporteur on the subject, the first World Congress on the Commercial Sexual Exploitation of Children in Sweden in August 1996, and the work of the Working Group on Contemporary Forms of Slavery; and for the second protocol, the UNICEF anti-war agenda, and the work of the expert whom the General Assembly had commissioned to study the impact of armed conflicts on children. On that point Australia urged all armed forces to renounce the use of anti-personnel mines, to which children were particularly vulnerable.

27. Notwithstanding the provisions of article 32 of the Convention, child labour continued to be exploited and huge numbers of children suffered under contemporary forms of slavery. In that connection, his delegation welcomed the ILO decision to begin drafting a convention concerning the exploitation of child labour. The proposed solutions must address the underlying causes and ensure that children were given long-term alternatives. The provision of quality education was crucial, as were poverty-reduction strategies. However, poverty or lack of development could not be used as a pretext for exploiting children. It should also be recognized that the exploitation of child labour also occurred in the developed countries.

28. Australia recognized that it had a number of obligations to fulfil in the promotion and protection of children's rights. For example, in the past indigenous children had suffered under discriminatory policies. The policy of removing indigenous children from their families was currently the subject of a national inquiry. It must also be acknowledged that socio-economic indicators for aboriginal children and children of the Torres Strait islands remained unsatisfactory. The Australian Government was also aware of the fact that the most vulnerable groups of children - which also included homeless

children and disabled or mentally ill children - had special needs and it was committed to meeting those needs. Australia was also taking an active part in the fight against child abuse beyond its borders. Legislation to combat the overseas paedophile activities of Australian citizens or residents had come into force in 1994. One person had been sentenced in March 1996 and another had been charged.

29. Children in general were vulnerable but girls were more so. Statistics showed that, when children worked, girls worked longer hours than boys, that they were more likely to suffer sexual abuse and were more frequently subjected to commercial sexual exploitation. Specific measures must be introduced to deal with the consequences of that situation.

30. The obligation which article 28 of the Convention imposed on States to provide education for children recognized that better observance of human rights ultimately required changes in behaviour and attitudes. The Decade for Human Rights Education was therefore an important initiative for the protection of future generations.

31. Mr. ZAHRAN (Egypt) welcomed the fact that, as of 1 March 1996, the Convention on the Rights of the Child had been ratified by 187 countries, a record number in the annals of the international community. Egypt was deeply concerned with the protection and promotion of all aspects of children's rights and had proclaimed the period 1989-1999 the Decade for Egyptian Children. All districts of Egyptian towns had children's libraries. As to sickness insurance, there were special provisions for children, and information about the health of mothers and children was provided through the media. In view of the fact that Egypt formerly had a number of separate laws and other regulations concerning children, the Government had decided to draft a single law which would be both more consistent and more in conformity with the Convention. The new law covered all aspects of children's life from the womb to adulthood. Egypt was cooperating with ILO on the problem of child labour. Since 1994, colloquiums and seminars had been held on the subject, a central service to deal with the problem of child labour had been set up in the Ministry of Labour, and a top-level commission had been mandated to draft a specific labour code.

32. Egypt was also following closely the work of the Working Group on a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and of the Working Group on a draft optional protocol to the Convention on the involvement of children in armed conflicts, as well as the activities of the Special Rapporteur on the question of the sale of children, child prostitution and child pornography, and it had read the latest reports (E/CN.4/1996/101, 102 and 100 respectively) with great interest.

33. With respect to the Committee on the Rights of the Child, it was gratifying that the conference of States parties had agreed to increase the number of experts on the Committee. The international community had thus given due recognition to the importance of implementation of the Convention. Egypt would now like the Committee to be given all the support necessary for the discharge of its difficult mandate, with the backing of the Centre for Human Rights, and within the limits of regular budget resources. It welcomed

the idea of establishing a special committee to consider the advisory services to be made available to countries, for the institutional and legal framework of such services had a number of lacunas as far as children's rights were concerned.

34. The rights of the child did not exist in isolation but were part of the whole body of human rights and were closely tied in with the right to development. In particular, children's right to life, including the exercise of that right in occupied territories and areas of conflict, must be preserved at any price. The Commission must therefore strongly condemn military actions prejudicial to that right, in particular in the occupied Arab territories in Lebanon and Palestine. The recent attack on the UNIFIL refugee camp at Cana in southern Lebanon could only arouse indignation. In Africa as well, children suffered hunger and insecurity. Egypt thus gave its firmest support to all United Nations initiatives to deal with such situations.

35. Mr. SINGH (India) said that the well-being of the world's children had been at the centre of the United Nations activities since its inception, as could be seen from the work of UNICEF and the adoption of the Declaration of the Rights of the Child in 1959 and of the Convention on the Rights of the Child in 1989, which enjoyed almost universal adherence.

36. Nevertheless, children were still being exploited in one form or another throughout the world. In India, where preference was traditionally given to boys, the authorities were addressing the question of observance of the rights of girls, in particular through education. Action was being taken to regulate child labour by means of legislation, information, education and vocational training within the framework both of general development programmes and of specific projects. Action was also being taken to combat poverty in general.

37. The Commission's Special Rapporteur on the sale of children, child prostitution and child pornography described a worrying situation in her latest report (E/CN.4/1996/100). She stated quite rightly that countries should first agree on a definition of child abuse. The serious problem of sex tourism was, of course, primarily the responsibility of the authorities of the countries of origin and the destination countries to take action at the national level, but the activities in question must also be criminalized internationally in order to fill the gaps in the Convention in that respect. The action already taken by several countries to prosecute their nationals who committed child abuse, within or outside their national boundaries, deserved commendation. In addition, there was a need for international cooperation to tackle the organized exploitation of children. The Special Rapporteur was also right to stress the catalytic role of the justice and education systems and the media, as well as the work of the social services and the usefulness of psychological counselling in dealing with such phenomena.

38. The Special Rapporteur had also helped the Working Group on a draft optional protocol to the Convention on the sale of children, child prostitution and child pornography to focus better on the problem and choose an appropriate methodology. The Indian delegation believed that the scope of the optional protocol must include the question of sex tourism, for action at the national level was insufficient to deal with the problem. In order to

combat the sexual exploitation of children, India was gradually introducing a range of legislative and administrative measures in collaboration with NGOs and national social institutions.

39. It was regrettable, however, that despite the universality and indivisibility of all human rights, a principle enshrined in the Vienna Declaration and Programme of Action and in other instruments, UNICEF and the Committee on the Rights of the Child had taken a rather non-committal approach to the activities of the Working Group. Some developed countries had even displayed reticence, arguing that it was up to each society to determine what constituted sexual exploitation of children and what could be punished by the law. Reference had also been made to the lack of definitions of such exploitation in national legislation. Yet, given the universality of the problem, how was it possible to invoke the freedom of choice of individual societies? If dilution of the Working Group's mandate was to be avoided, the reservations about its work stated by some countries must be withdrawn. The Commission should reaffirm that the Working Group's mandate covered all aspects of the sexual exploitation of children, including the sale of children, child prostitution, child pornography and child sex tourism. It must also stress the standard-setting role of the Working Group and the need for the international community to complement national efforts, with a view to early completion of the draft optional protocol.

40. Mr. HAIDER (Pakistan) said that Pakistan shared the revulsion of the Egyptian delegation about the recent tragedy in southern Lebanon. Emergency action was required in order to prevent the massacre of other innocent persons, in particular children, in that region.

41. Pakistan welcomed the fact that the Convention on the Rights of the Child had secured almost universal acceptance and that much progress had been made in the Working Group on a draft optional protocol on the involvement of children in armed conflicts and the Working Group on a draft optional protocol on the sale of children, child prostitution and child pornography. In Bosnia and Herzegovina, Rwanda, Kashmir, Chechnya and, more recently, in southern Lebanon, children remained the first victims of the conflicts. Children constituted nearly a half of the world's refugee population. They were often recruited into the armed forces. They were also the first victims of poverty. The elimination of child labour, in particular, would require changes in social attitudes, improvement of economic conditions and emphasis on education and training. It was imperative for the developed countries, which voiced their concern about the persistence of the problem, to help the countries where it was endemic.

42. Pakistan had been in the forefront of the promotion of the rights of the child. It had signed the Convention in 1990, had been one of the prime movers of the World Summit for Children, and was a party to most of the ILO conventions concerning children. Pakistan's Constitution forbade slavery in any form. The use of children in hazardous work was prohibited. Bonded labour had been abolished in 1992. Pakistan was also collaborating in the ILO international programme for the elimination of child labour and was conducting an inquiry into the problem. Almost 2,000 complaints concerning child labour had been lodged in 1995, and convictions had been secured in 253 cases.

43. In addition, the Ministry of Health had launched an expanded vaccination programme, and many mother and child health centres had been established. In collaboration with ILO and UNICEF, 35 centres for the rehabilitation and reintegration of child labourers had been established. In her report the Commission's Special Rapporteur recommended that action should be taken through the justice and education systems and the media to protect children's rights. Information campaigns about such rights had already been conducted in Pakistan. Where education was concerned, the authorities planned to enrol all children in primary education by 2000, with special attention paid to the education of girls. The proportion of GDP allocated to education was to increase from 2.1 to over 3 per cent by 2000. Lastly, Pakistan had established a Literacy Commission which would be opening 10,000 non-formal literacy centres in a year's time. The criminal legislation relating to children had also been amended. Children were kept separate from adults in jails, and it had been proposed that the death penalty should be abolished with respect to children under 16 years of age. The rehabilitation of juvenile delinquents was also receiving greater attention.

44. The international community must show understanding towards the countries whose economic situation made it necessary for children to work and it must help them to overcome their problems.

45. Mr. GARCIA (Peru) said that in September 1993 Peru had submitted its initial periodic report to the Committee on the Rights of the Child, which had acknowledged the considerable progress made in the harmonization of Peru's domestic law with the provisions of the Convention: the adoption of a Code for Minors, approval of a national action plan for children for the period 1992-1995, and creation of the post of children's ombudsman and of the national system for the comprehensive protection of children. On the other hand, the Committee had voiced concern about the terrorist violence which had caused, among other problems, the displacement of almost 400,000 children, who were now showing high rates of mortality and malnutrition.

46. Accordingly, despite the shortage of financial resources the Government had established several food aid programmes for displaced children, in particular orphans. In that connection, his delegation unreservedly supported the draft resolution on children submitted by the European Union. However, it would like future resolutions on the subject to make specific reference to children displaced by terrorist violence.

47. Furthermore, in accordance with the wishes of the Committee on the Rights of the Child, the Government had repealed Decree-Law No. 25564, which had lowered the age of criminal responsibility. Considerable progress had been made in health. For example, thanks to a broad vaccination campaign, poliomyelitis had been eradicated and measles and cholera were about to be eliminated. In order to improve the action plan for children which was to be adopted for the period 1996-2000, a national food and nutrition plan for children aged under five had been included in it.

48. The Peruvian Government fully supported the work of the Working Group on a draft optional protocol on the involvement of children in armed conflicts, of the Special Rapporteur on the question of the sale of children, child prostitution and child pornography, and of the Working Group on a draft

optional protocol on the topic. States which had in their territory businesses engaging in child pornography and sex tourism bore a particular responsibility.

49. Lastly, the Peruvian delegation agreed with the delegation of the Philippines that children ought to be regarded as "zones of peace" in order to protect them against the horrors of war, and it condemned all killing of children, which nothing could justify, whatever the circumstances.

50. Ms. PENNA (Brazil) said that her delegation unreservedly supported the conclusions of the Special Rapporteur on the sale of children, child prostitution and child pornography, especially with respect to the key role which the media and the systems of education and justice should play in the fight against such practices.

51. In Brazil, the Federal and State governments, in collaboration with governmental associations, the private sector and television, had launched campaigns to make the public aware of the need to curb the sexual exploitation of children and kidnapping. In addition, in May 1996 the Government would begin to implement a national plan to strengthen the family and eliminate child labour and the sexual exploitation of children, including proposed changes in legislation to bring it into line with the provisions of the Convention on the Rights of the Child and to criminalize the sexual exploitation of children.

52. In that connection, the Brazilian delegation condemned the sex tourism packages organized in the north-east of Brazil by agencies in certain developed countries, during which girls were used for prostitution. As the Special Rapporteur emphasized, both the sending and the receiving countries should adopt tougher legislation to tackle child prostitution for commercial purposes. Brazil was taking an active part in the preparations for the World Congress on the Commercial Sexual Exploitation of Children which was to be held in August 1996 in Stockholm. It also commended the work of the Working Group on a draft optional protocol to the Convention on the sale of children, child prostitution and child pornography.

53. The Brazilian Government was taking vigorous action, in collaboration with ILO, trade unions, employers and various NGOs, to put an end to child labour. For example, special education programmes had been introduced for working children and hundreds of additional labour inspectors had been trained throughout the country.

54. The exploitation of children, the disintegration of the family, and the rural exodus were closely linked to poverty. The Brazilian delegation therefore hoped that the international community would help the Brazilian Government and society in its efforts to reduce that problem.

55. Mr. NGOUBEYOU (Cameroon) said that by promptly ratifying the Convention on the Rights of the Child Cameroon had wanted to demonstrate its political will to ensure that due consideration was given to the best interests of the child and to protect children against the many evils to which they were exposed, including malnutrition, armed conflicts, prostitution, economic exploitation, discrimination against girls, and illiteracy.

56. In its concern to train citizens capable of participating fully in the nation's political, economic and cultural life the Government was actively seeking to improve education by revising teaching methods and curricula, establishing new schools, producing qualified teachers, and facilitating the widest possible access to education by means of scholarships. In order to bring that undertaking to fruition, Cameroon was allocating 15 per cent of the State budget to national education. Unfortunately, the implementation of its policy was being impeded by serious obstacles: economic recession, structural adjustment, devaluation of the CFA franc, and external debt service.

57. It was important for the international community to ensure the implementation of the Vienna Declaration and Programme of Action, in particular the provisions on the need to promote the Convention. His delegation commended the efforts made in that regard by the Centre for Human Rights and urged it to continue its cooperation with the relevant specialized agencies in order to help States to improve the situation of children.

58. Ms. BU FIGUEROA (Observer for Honduras) said that Honduras was one of the first 20 countries to have ratified the Convention on the Rights of the Child, which it had incorporated in its domestic law and was endeavouring to implement by means of legislative, administrative and other measures to the extent that economic resources allowed.

59. The National Congress was currently considering a draft children's code prepared by the Commission on the Rights of the Child, which drew its membership from all areas of public life and from NGOs concerned with children. The creation of the post of Special Procurator for Handicapped Children and the post of National Commissioner for Protection of the Rights of the Child provided further evidence of the importance that Honduras attached to children. In June 1994, moreover, the Government had formulated for the first time the State's social policy for children, which was universal and was applied without distinction as to race, colour, sex, etc. In fulfilment of its obligations under the Convention the Government had begun to implement a national action plan for human development (children and young people) and it had signed a document entitled "Children's Covenant" in which it undertook to provide girls and boys, equally, with the minimum basic services necessary to their development. The Institute of Children and the Family would be responsible for directing the State's social policy for children, adolescents and the family and for ensuring that consideration was given to the best interests and the rights of children. The National Congress was considering a bill on the establishment of that public social development body, which would have legal personality and its own assets and enjoy financial and administrative independence.

60. Ms. AEBY (Observer for Switzerland) said that the Convention on the Rights of the Child, signed by Switzerland in 1991 and currently before the Federal Parliament for ratification, was a cornerstone of the protection and promotion of children's rights.

61. Switzerland noted with great concern the increasing number of reports of violations of children's fundamental rights in armed conflicts. The final report of the expert appointed to make a study of the impact of armed conflicts on children would provide a sound basis for the Commission's future

work. Progress had been slow in the Working Group on a draft optional protocol to the Convention on the involvement of children in armed conflicts, but it should continue its work to create the international legal foundations for special protection for children up to the age of 18 involved in armed conflicts.

62. Her country thanked the Special Rapporteur on the sale of children, child prostitution and child pornography for the excellent reports she had submitted to the Commission and for the extremely valuable expert advice she had given to the Working Group on a draft optional protocol on that subject. The international community should soon have a legal instrument for prevention of particularly abhorrent forms of the exploitation of children, one which would criminalize such exploitation and facilitate the prosecution of perpetrators while decriminalizing the child victims. Switzerland invited the Commission to renew the mandates of both Working Groups.

63. As one of the main contributors to UNICEF, Switzerland commended UNICEF's work to protect children in particularly vulnerable categories, especially girls, street children and children who suffered the most serious forms of economic exploitation. It was also actively involved in the work of ILO on the adoption of a new instrument to combat the exploitation of child labour.

64. Mr. JACEK (Observer for Poland), welcoming the report of the Secretary-General on the status of the Convention on the Rights of the Child (E/CN.4/1996/99), said that Poland, which had submitted the draft convention to the Commission in 1978, was proud that it was now the most widely accepted human rights treaty in the world. However, it might be thought that the Convention had secured almost universal recognition because its provisions were too general and too weak and that it was therefore necessary to improve their implementation by drafting two optional protocols, one on the involvement of children in armed conflicts and the other on the sale of children, child prostitution and child pornography. It was regrettable in that connection that agreement had not yet been reached on a number of basic issues in the working groups on the draft protocols.

65. His country called for a further session of the Working Group on a draft optional protocol on the involvement of children in armed conflicts so that the Group could complete its work. It proposed that the Group should also consider the possibility of establishing under the protocol a mechanism for rapid reaction to violations of the protocol's provisions, a proposal set out in detail in the Working Group's report on its second session (E/CN.4/1996/102).

66. In the present period of political transition and of social and economic change, Poland was experiencing problems in giving due priority to measures for the promotion and protection of the rights of the child. Despite the country's growing prosperity, not all children were yet enjoying equality of opportunity. The Government was trying to make positive changes and to strengthen the coordination between the various State agencies responsible for promoting and protecting the rights of the child and it had recommended that Parliament should withdraw the reservations stated at the time of ratification of the Convention. It should also be noted that the Office of the Commissioner of Citizens' Rights had a section which dealt specifically with

protection of children's rights and formulated remedial measures on the basis, inter alia, of the observations made by the Committee on the Rights of the Child. The Government was endeavouring to harmonize domestic legislation with the provisions of the Convention and to remove all the obstacles standing in the way of harmonization.

67. Ms. SKATVEDT (Office of the United Nations High Commissioner for Refugees) said that refugee children were an especially vulnerable group and highly exposed to sexual exploitation and to involvement in armed conflicts.

68. The Office of the United Nations High Commissioner for Refugees (UNHCR) participated actively in the work of the Committee on the Rights of the Child, providing it with information on the situation of refugee children in countries submitting their periodic reports. It also helped Governments to prepare their reports and to implement the Committee's recommendations.

69. It was collaborating in the study on the impact of armed conflicts on children and was ensuring that the study took due account of refugee and displaced children. Once the expert's report had been submitted to the General Assembly, the implementation and follow-up phase would be of crucial importance for the protection of refugee children.

70. UNHCR was following closely the proceedings of the Working Group on a draft optional protocol on the involvement of children in armed conflicts and wished to emphasize in particular certain points which had given rise to controversy. First of all, the protocol must offer the broadest possible protection covering both direct and indirect involvement - often much the same thing. Children under the age of 18 needed protection against both voluntary and forced recruitment, for they were too young to understand all the implications of their decisions and could be manipulated. Lastly, the prohibition on the recruitment and participation of children in hostilities should apply both to governmental forces and to non-governmental armed groups.

71. Mr. BENJELLOUN-TOUIMI (Observer for Morocco), speaking on behalf of the Organization of the Islamic Conference (OIC) said that OIC condemned the massacre in cold blood by the Israeli army of 103 innocent civilians in southern Lebanon, which was yet another example of the daily massacres committed by Israeli forces since 11 April 1996. Over half a million people had been forced to flee southern Lebanon and the West Bekaa region.

72. The Israeli aggression was a flagrant violation of international law, international humanitarian law and the fundamental principles of human rights and it seriously undermined the peace process in the Middle East. Nothing could justify Israel's brutal military campaign against Lebanon. Its occupation of parts of southern Lebanon and the Bekaa valley was the very source of the continued violence and conflicts in that part of the world. The immediate, unconditional and complete withdrawal from Lebanon of the Israeli forces of occupation, in accordance with Security Council resolution 425 (1978), was the essential condition for the restoration of peace and security in the region.

73. Accordingly, the States members of OIC strongly condemned the Israeli military aggression against Lebanon and its people and called for its immediate cessation. They expressed their full solidarity with the Lebanese Government and people, reaffirmed Lebanon's right to self-defence against Israel's continuing occupation, and called upon the international community to provide Lebanon with urgent humanitarian assistance. They held Israel responsible for the consequences of its aggression and called upon the Commission to condemn the systematic and gross violations of the fundamental rights of the Lebanese people by Israel, and on the Chairman of the Commission to issue a statement condemning Israel s grave violations of human rights in Lebanon and the killing of Lebanese civilians, which had caused massive displacement of population and the destruction of Lebanon's infrastructure, constituting a grave violation of the Geneva Conventions and international law.

74. Ms. TOUNSI (Observer for Morocco) said that the armed conflicts raging in various parts of the world had tragic consequences for children. According to UNICEF, in the past 10 years 2 million children had been killed, 4 to 5 million had been disabled, 12 million had been made homeless, more than a million had been orphaned or separated from their families, and about 10 million had suffered mental trauma. Again according to UNICEF, 200,000 children had been actively involved in warfare in 1988 alone. There were still gaps in the Convention on the Rights of the Child, despite its ratification by 187 States. Her delegation therefore supported the draft optional protocol on the involvement of children in armed conflicts, which regulated, inter alia, the minimum legal age for compulsory recruitment to the armed forces.

75. Sexual exploitation of and trafficking in children had taken on a new and worrying international dimension in recent years. In addition, the sale of organs, sometimes taken from children, also demanded a legal framework which would criminalize any such use of human organs. For all those reasons, the Convention had asserted the right of children to protection against being sold, against prostitution and against child pornography, but it needed to be made more specific and strengthened. The Moroccan delegation supported the draft protocol on the subject.

76. In conclusion, she paid a tribute to UNICEF, which had been working tirelessly for 50 years to improve the living conditions of children.

77. Ms. DEPUY (Observer for Uruguay) said that Uruguay was a party to the Convention on the Rights of the Child and to the main international instruments on the protection of children. At the national level, successive Governments had always endeavoured to draft legal instruments and formulate policies for the protection of children.

78. The assertion by UNICEF and the Committee on the Rights of the Child that priority should be given to implementation of the Convention did not mean that it should not be supplemented by an optional protocol on the sale of children, child prostitution and child pornography. The protocol should be very broad in scope and cover all matters neglected up till now and all the modalities of the sale of children for whatever reason (adoption, sale of organs, exploitation of child labour, sexual exploitation, pornography). The protocol

would enable States to designate such acts as crimes in domestic law and would provide additional measures to be taken at the national and international levels for attacking the root causes of such phenomena, carrying out preventive action and assisting the victims. The whole international community must take action to improve the lot of future generations.

79. Mr. SKODA (Observer for the Czech Republic) said that the Czech delegation welcomed the interest which the Special Rapporteur on the sale of children, child prostitution and child pornography was taking in the achievements of the Czech Republic - which she was shortly to visit - in devising and implementing effective legislation in the field with which she was concerned.

80. In the Czech Republic, in accordance with the Constitution, the Convention on the Rights of the Child took precedence over national law. At the institutional level, questions of children's rights were dealt with by the relevant ministries and their specialized commissions. A similar structure had been established within the framework of the Parliament in order to ensure the protection and promotion of children's rights. NGOs also played an active role in making the public more aware of all the relevant issues.

81. It was a matter of greatest importance to draft an optional protocol on the sale of children, child prostitution and child pornography to supplement the Convention. Those serious problems must be combated internationally, and his delegation welcomed the convening of the World Congress on the Commercial Sexual Exploitation of Children in Stockholm in August 1996. All States must take action to criminalize and condemn the sexual exploitation of children, punish the guilty parties and formulate social programmes designed to change attitudes and practices regarding respect for children's rights.

The meeting rose at 6 p.m.